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EXAMINER

AN, SHAWN S

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 07/12/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/724,740

Applicant(s)

CARRIG, JAMES J.

Examiner

Shawn S An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Response to Amendment***

1. As per Applicant's instructions in Paper 12 as filed on 4/26/04, claims 1, 3, 5-6, 8, 10-11, and 13-15 have been amended.

### ***Response to Remarks***

2. Applicant's arguments with respect to amended claims as above have been carefully considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Jeon et al (5,937,101).

**Regarding claims 1-2 and 6-7,** Jeon et al discloses an apparatus/method, comprising:

means for receiving a block of transform domain coefficients (Fig. 2, QF (u,v)) and corresponding error flags (Fig. 8, Adjust Factor);

means for estimating an initial (expected) value for each erroneous (lost or damaged) coefficients (col. 6, lines 46-59; col. 9, lines 53-58);

means for decoding the erroneous coefficients of the block into estimated pixel values using the initial value of the coefficients to create predictive decodings of the block, where there are errors in the coefficients (abs.; col. 4, lines 40-48; col. 9, lines 53-58), and

decoding non-erroneous coefficients of the block into error free pixel values using the received values of the coefficients to create partial decodings of the block where there are no errors in the coefficients (Fig. 2, 22, 23);

means for updating the value for each erroneous coefficient based on the partial and predicted decodings of the block (Fig. 2, 23; Fig. 8, 31, 32); and

means for updating the estimated pixel values of the block (Fig. 8, 34) using the updated values of the coefficients (col. 8, lines 5-8 and lines 59-64).

**Note:** The Examiner considers the recited claim limitation "partial decodings" as a misleading feature, since all of the non-erroneous coefficients of the block are decoded and the corresponding erroneous coefficients of the same block also are decoded. In other words, all of the coefficients (erroneous and non-erroneous) of the block are decoded.

**Regarding claims 3 and 8,** Jeon et al discloses applying the transform domain coefficients to an inverse transform (Fig. 2, 23).

**Regarding claims 4 and 9,** Jeon et al discloses minimizing a least square equation (col. 7, eq. 17).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeon et al (5,937,101)

**Regarding claims 5 and 10,** Jeon et al does not specifically disclose means for displaying the pixel values.

However, the Examiner takes official notice that a display device displaying decoded pixel values are well known in the art for a well known reason of visual entertainment, business, education, etc.

Furthermore, it is considered quite obvious for a conventional decoder to decode the encoded/compressed video image data including the pixel values for displaying decoded video image data.

Therefore, it would have been considered obvious to a person of ordinary skill in the relevant art employing a decoding apparatus/method as taught by Jeon et al to incorporate the well known conventional display device for a well known reason of displaying the decoded video image data including the pixel values.

7. Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeon et al (5,937,101) in view of Florencio et al (6,373,894 B1).

**Regarding claims 11-12**, Jeon et al discloses all of the claimed limitations as discussed above with the exception of computer readable medium having instruction to perform the claimed limitations.

However, Florencio et al teaches method and apparatus for recovering quantized coefficients including a decoder that can be represented by a computer readable medium having instructions (Fig. 4, 410; col. 8, lines 19-28).

Therefore, it would have been considered to a person of ordinary skill in the relevant art employing a decoding apparatus/method as taught by Jeon et al to incorporate the Florencio et al's decoder that can be represented by a computer readable medium having instructions which, when executed by a processing system, cause the system to perform methods such as the claimed limitations for portability and saving costs associated with hardware.

**Regarding claim 13**, Jeon et al discloses applying the transform domain coefficients to a transform (Fig. 2, 23).

**Regarding claim 14**, Jeon et al discloses minimizing a least square equation (col. 7, eq. 17).

**Regarding claim 15**, Jeon et al does not specifically disclose means for displaying the pixel values.

However, the Examiner takes official notice that a display device displaying decoded pixel values are well known in the art for a well known reason of visual entertainment, business, education, etc.

Furthermore, it is considered quite obvious for a conventional decoder to decode the encoded/compressed video image data including the pixel values for displaying decoded video image data.

Therefore, it would have been considered obvious to a person of ordinary skill in the relevant art employing a decoding apparatus/method, as taught by Jeon et al to incorporate the well known conventional display device for a well known reason of displaying the decoded video image data including the pixel values.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Shawn S An** whose telephone number is 703-305-0099. The Examiner can normally be reached on Flex hours (10).

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10. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SSA

Primary Patent Examiner

7/11/04